



DECLARATION AND POWER OF ATTORNEY

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As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INDUCING CELLULAR IMMUNE RESPONSES TO HEPATITIS B VIRUS USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS** the specification of which _____ is attached hereto or X was filed on 7/8/99 as Application No. 09/350,401 and was amended on _____ (if applicable).

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Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under 35 USC 119 |
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I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

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Kathleen Choi, Reg. No. 43,433
Jean M. Lockyer, Reg. No. P-44,879

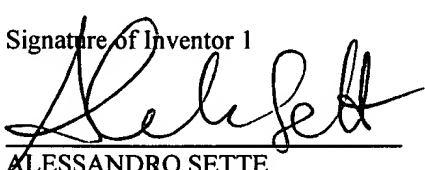
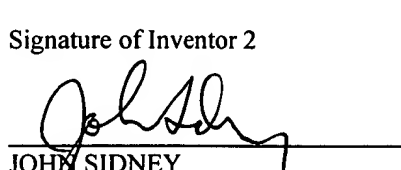
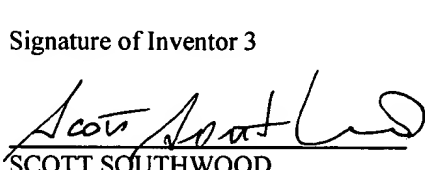
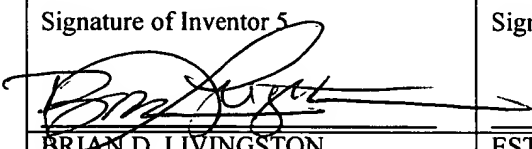
Epimmune Inc.
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Reg. No. 36,856

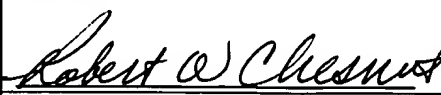
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| Send Correspondence to: Jean M. Lockyer TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 | Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Jean M. Lockyer Reg. No.: P-44,879 Telephone: 415-576-0200 |
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|--------------------------|---|---|---|------------------------------|
| Full Name of Inventor 1: | Last Name: SETTE | First Name: ALESSANDRO | Middle Name or Initial: | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: Italy | |
| Post Office Address: | Post Office Address: 5551 Linda Rosa Avenue | City: La Jolla | State/Country: California | Postal Code: 92037 |
| Full Name of Inventor 2: | Last Name: SIDNEY | First Name: JOHN | Middle Name or Initial: | |
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| Post Office Address: | Post Office Address: 4218 Corte de la Siena | City: La Jolla | State/Country: California | Postal Code: 92037 |
| Full Name of Inventor 3: | Last Name: SOUTHWOOD | First Name: SCOTT | Middle Name or Initial: | |
| Residence & Citizenship: | City: Santee | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 10679 Strathmore Dr. | City: Santee | State/Country: California | Postal Code: 92071 |
| Full Name of Inventor 4: | Last Name: VITIELLO | First Name: MARIA | Middle Name or Initial: A. | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: Italy | |
| Post Office Address: | Post Office Address: 7522 High Avenue | City: La Jolla | State/Country: California | Postal Code: 92037 |

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| Full Name of Inventor 5: | Last Name: LIVINGSTON | First Name: BRIAN | Middle Name or Initial: D. | |
| Residence & Citizenship: | City: San Diego | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 13555 Chaco Court | City: San Diego | State/Country: California | Postal Code: 92129 |
| Full Name of Inventor 6: | Last Name: CELIS | First Name: ESTEBAN | Middle Name or Initial: | |
| Residence & Citizenship: | City: Rochester | State/Foreign Country: Minnesota | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 3683 Wright Road S.W. | City: Rochester | State/Country: Minnesota | Postal Code: 55902 |
| Full Name of Inventor 7: | Last Name: KUBO | First Name: RALPH | Middle Name or Initial: T. | |
| Residence & Citizenship: | City: Carlsbad | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 6921 Pear Tree Drive | City: Carlsbad | State/Country: California | Postal Code: 92009 |
| Full Name of Inventor 8: | Last Name: GREY | First Name: HOWARD | Middle Name or Initial: M. | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 9066 La Jolla Street | City: La Jolla | State/Country: California | Postal Code: 92037 |
| Full Name of Inventor 9: | Last Name: CHESNUT | First Name: ROBERT | Middle Name or Initial: W. | |
| Residence & Citizenship: | City: Cardiff-by-the-Sea | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 1473 Kings Cross Drive | City: Cardiff-by-the-Sea | State/Country: California | Postal Code: 92007 |

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|---|--|--|
| Signature of Inventor 1  ALESSANDRO SETTE | Signature of Inventor 2  JOHN SIDNEY | Signature of Inventor 3  SCOTT SOUTHWOOD |
| Date <u>8/26/99</u> | Date <u>8/26/99</u> | Date <u>8/26/99</u> |
| Signature of Inventor 4 MARIA A. VITIELLO | Signature of Inventor 5  BRIAN D. LIVINGSTON | Signature of Inventor 6 ESTEBAN CELIS |
| Date | Date <u>8/26/99</u> | Date |

| | | |
|-------------------------|-------------------------|--|
| Signature of Inventor 7 | Signature of Inventor 8 | Signature of Inventor 9 |
| <hr/> | <hr/> |  |
| RALPH T. KUBO | HOWARD M. GREY | ROBERT W. CHESNUT |
| Date | Date | Date 8-26-95 |

SF 1019225 v1



Attorney Docket No.: 18623-013910US
Client Reference No.: EPI 0139.10 US

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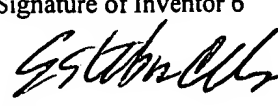
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| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: Italy | |
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| Full Name of Inventor 4: | Last Name: VITIELLO | First Name: MARIA | Middle Name or Initial: A. | |
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| Full Name of Inventor 5: | Last Name: LIVINGSTON | First Name: BRIAN | Middle Name or Initial: D. | |
| Residence & Citizenship: | City: San Diego | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 13555 Chaco Court | City: San Diego | State/Country: California | Postal Code: 92129 |
| Full Name of Inventor 6: | Last Name: CELIS | First Name: ESTEBAN | Middle Name or Initial: | |
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| Full Name of Inventor 8: | Last Name: GREY | First Name: HOWARD | Middle Name or Initial: M. | |
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| Date | Date | Date |

SF 1019225 v1



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INDUCING CELLULAR IMMUNE RESPONSES TO HEPATITIS B VIRUS USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS** the specification of which _____ is attached hereto or X was filed on 7/8/99 as Application No. 09/350,401 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under 35 USC 119 |
|---------|-----------------|----------------|-----------------------------------|
| | | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date |
|-----------------|-------------|
| | |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|----------------|-----------|
| 09/189,702 | 11/10/98 | Pending |
| 08/205,713 | 3/4/94 | Pending |
| 08/159,184 | 11/29/93 | Abandoned |
| 08/073,205 | 6/4/93 | Abandoned |
| 08/027,146 | 3/5/93 | Abandoned |
| | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Hector A. Alicea, Reg. No. 40,891
Randolph T. Apple, Reg. No. 36,429
Kevin L. Bastian, Reg. No. 34,774
Guy Chambers, Reg. No. 30,617
Karen B. Dow, Reg. No. 29,684
Gregory P. Einhorn, Reg. No. 38,440
M. Henry Heines, Reg. No. 28,219
Laurence J. Hyman, Reg. No. 35,551
Jeffrey J. King, Reg. No. 38,515

Joe Liebeschuetz, Reg. No. 37,505
Jeffrey S. Mann, Reg. No. 42,837
Annette S. Parent, Reg. No. 42,058
Steven W. Parmelee, Reg. No. 31,990
Brian W. Poor, Reg. No. 32,928
Margaret A. Powers, Reg. No. 39,804
Timothy L. Smith, Reg. No. 35,367
William M. Smith, Reg. No. 30,223
Joseph P. Snyder, Reg. No. 39,381
John R. Storella, Reg. No. 32,944
Eugenia Garrett-Wackowski, Reg. No. 37,330
Ellen Lauver Weber, Reg. No. 32,762
Kenneth A. Weber, Reg. No. 31,667
P. Ben Wang, Reg. No. 41,420
Kathleen Choi, Reg. No. 43,433
Jean M. Lockyer, Reg. No. P-44,879

Epimmune Inc.
Timothy J. Lithgow, M.D., J.D.
Reg. No. 36,856

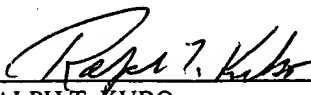
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| Send Correspondence to: Jean M. Lockyer TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 | Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Jean M. Lockyer Reg. No.: P-44,879 Telephone: 415-576-0200 |
|--|--|

| | | | | |
|--------------------------|---|---|---|------------------------------|
| Full Name of Inventor 1: | Last Name: SETTE | First Name: ALESSANDRO | Middle Name or Initial: | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: Italy | |
| Post Office Address: | Post Office Address: 5551 Linda Rosa Avenue | City: La Jolla | State/Country: California | Postal Code: 92037 |
| Full Name of Inventor 2: | Last Name: SIDNEY | First Name: JOHN | Middle Name or Initial: | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 4218 Corte de la Siena | City: La Jolla | State/Country: California | Postal Code: 92037 |
| Full Name of Inventor 3: | Last Name: SOUTHWOOD | First Name: SCOTT | Middle Name or Initial: | |
| Residence & Citizenship: | City: Santee | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 10679 Strathmore Dr. | City: Santee | State/Country: California | Postal Code: 92071 |
| Full Name of Inventor 4: | Last Name: VITIELLO | First Name: MARIA | Middle Name or Initial: A. | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: Italy | |
| Post Office Address: | Post Office Address: 7522 High Avenue | City: La Jolla | State/Country: California | Postal Code: 92037 |

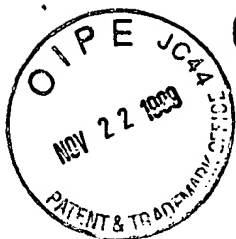
| | | | | |
|--------------------------|---|---|---|------------------------------|
| Full Name of Inventor 5: | Last Name: LIVINGSTON | First Name: BRIAN | Middle Name or Initial: D. | |
| Residence & Citizenship: | City: San Diego | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 13555 Chaco Court | City: San Diego | State/Country: California | Postal Code: 92129 |
| Full Name of Inventor 6: | Last Name: CELIS | First Name: ESTEBAN | Middle Name or Initial: | |
| Residence & Citizenship: | City: Rochester | State/Foreign Country: Minnesota | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 3683 Wright Road S.W. | City: Rochester | State/Country: Minnesota | Postal Code: 55902 |
| Full Name of Inventor 7: | Last Name: KUBO | First Name: RALPH | Middle Name or Initial: T. | |
| Residence & Citizenship: | City: Carlsbad | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 6921 Pear Tree Drive | City: Carlsbad | State/Country: California | Postal Code: 92009 |
| Full Name of Inventor 8: | Last Name: GREY | First Name: HOWARD | Middle Name or Initial: M. | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 9066 La Jolla Street | City: La Jolla | State/Country: California | Postal Code: 92037 |
| Full Name of Inventor 9: | Last Name: CHESNUT | First Name: ROBERT | Middle Name or Initial: W. | |
| Residence & Citizenship: | City: Cardiff-by-the-Sea | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 1473 Kings Cross Drive | City: Cardiff-by-the-Sea | State/Country: California | Postal Code: 92007 |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|--------------------------------------|--------------------------------------|--------------------------------------|
| Signature of Inventor 1 _____ | Signature of Inventor 2 _____ | Signature of Inventor 3 _____ |
| ALESSANDRO SETTE | JOHN SIDNEY | SCOTT SOUTHWOOD |
| Date | Date | Date |
| Signature of Inventor 4 _____ | Signature of Inventor 5 _____ | Signature of Inventor 6 _____ |
| MARIA A. VITIELLO | BRIAN D. LIVINGSTON | ESTEBAN CELIS |
| Date | Date | Date |

| | | |
|---|--|---|
| Signature of Inventor 7  _____ RALPH T. KUBO | Signature of Inventor 8 _____ HOWARD M. GREY | Signature of Inventor 9 _____ ROBERT W. CHESNUT |
| Date 08/26/99 | Date | Date |

SF 1019225 v1



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Epimmune Inc.
Timothy J. Lithgow, M.D., J.D.
Reg. No. 36,856

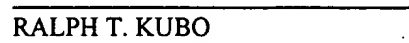


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| Send Correspondence to: Jean M. Lockyer TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 | Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Jean M. Lockyer Reg. No.: P-44,879 Telephone: 415-576-0200 |
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| Full Name of Inventor 4: | Last Name: VITIELLO | First Name: MARIA | Middle Name or Initial: A. | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: Italy | |
| Post Office Address: | Post Office Address: 7522 High Avenue | City: La Jolla | State/Country: California | Postal Code: 92037 |

| | | | | |
|--------------------------|---|---|---|------------------------------|
| Full Name of Inventor 5: | Last Name: LIVINGSTON | First Name: BRIAN | Middle Name or Initial: D. | |
| Residence & Citizenship: | City: San Diego | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 13555 Chaco Court | City: San Diego | State/Country: California | Postal Code: 92129 |
| Full Name of Inventor 6: | Last Name: CELIS | First Name: ESTEBAN | Middle Name or Initial: | |
| Residence & Citizenship: | City: Rochester | State/Foreign Country: Minnesota | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 3683 Wright Road S.W. | City: Rochester | State/Country: Minnesota | Postal Code: 55902 |
| Full Name of Inventor 7: | Last Name: KUBO | First Name: RALPH | Middle Name or Initial: T. | |
| Residence & Citizenship: | City: Carlsbad | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 6921 Pear Tree Drive | City: Carlsbad | State/Country: California | Postal Code: 92009 |
| Full Name of Inventor 8: | Last Name: GREY | First Name: HOWARD | Middle Name or Initial: M. | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 9066 La Jolla Street | City: La Jolla | State/Country: California | Postal Code: 92037 |
| Full Name of Inventor 9: | Last Name: CHESNUT | First Name: ROBERT | Middle Name or Initial: W. | |
| Residence & Citizenship: | City: Cardiff-by-the-Sea | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 1473 Kings Cross Drive | City: Cardiff-by-the-Sea | State/Country: California | Postal Code: 92007 |

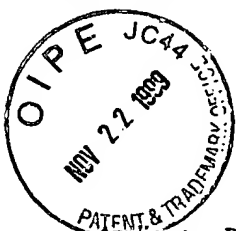
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|--|--|--|
| Signature of Inventor 1 _____ ALESSANDRO SETTE | Signature of Inventor 2 _____ JOHN SIDNEY | Signature of Inventor 3 _____ SCOTT SOUTHWOOD |
| Date | Date | Date |
| Signature of Inventor 4 _____ MARIA A. VITIELLO | Signature of Inventor 5 _____ BRIAN D. LIVINGSTON | Signature of Inventor 6 _____ ESTEBAN CELIS |
| Date | Date | Date |

| | | |
|--|---|--|
| Signature of Inventor 7 | Signature of Inventor 8 | Signature of Inventor 9 |
|  |  |  |
| RALPH T. KUBO | HOWARD M. GREY | ROBERT W. CHESNUT |
| Date | Date 8/27/99 | Date |

SF 1019225 v1

#3

Atty. Docket No. 18623-013910US
Client ref. EPI 0139.10 US

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(e)) - SMALL BUSINESS CONCERN

Applicant or Patentee: Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Ralph T. Kubo, Howard M. Grey and Robert W. Chesnut
 Application or Patent No.: 09/350,401
 Filed or Issued: July 8, 1999
 Title: INDUCING CELLULAR IMMUNE RESPONSES TO HEPATITIS B VIRUS USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS

I hereby declare that I am:



the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Epimmune Inc.
 Address of Small Business Concern: 5820 Nancy Ridge Drive
San Diego, CA 92121

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled INDUCING CELLULAR IMMUNE RESPONSES TO HEPATITIS B VIRUS USING PEPTIDE AND NUCLEIC ACID COMPOSITIONS by inventor(s) Alessandro Sette, John Sidney, Scott Southwood, Maria A. Vitiello, Brian D. Livingston, Esteban Celis, Ralph T. Kubo, Howard M. Grey and Robert W. Chesnut described in:



the specification filed herewith.

Application No. 09/350,401, filed July 8, 1999

Patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(c).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name _____
 Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name _____
 Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such statement is directed.

Name of Person Signing: Timothy J. Lithgow
 Title of Person if Other than Owner: Director, Intellectual Property
 Address of Person Signing: Epimmune Inc.
5820 Nancy Ridge Drive, San Diego, CA 92121

Signature

Date

16 Nov 99